



5-19-03

2817

## UNITED STATES PATENT AND TRADEMARK OFFICE

|                                    |                                 |
|------------------------------------|---------------------------------|
| First Named Applicant: Mikalauskas | Docket No: 20206-027            |
| Serial No: 09/970,550              | Client Reference No. P00-2898-1 |
| Filed: Oct-03-2001                 | Art Unit: 2817                  |
|                                    | Examiner: John, S.E.            |

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MAY 27 2003

OFFICE OF THE SPECIAL  
PROGRAMS EXAMINERMailstop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**TRANSMITTAL FOR REQUEST TO WITHDRAW AS  
ATTORNEYS OF RECORD IN PATENT MATTER**

Dear Sirs:

Submitted herewith are the following documents:

1. Request to Withdraw as Attorney of Record; and
2. Copy of Notice to Client of the Request to Withdraw.

Dated: May 16, 2003

Leah Sherry  
Reg. No. 43,918OPPENHEIMER WOLFF & DONNELLY LLP  
1400 Page Mill Road  
Palo Alto, CA 94304-1124  
Phone: (650) 320-4000  
Fax: (650) 320-4100

## CERTIFICATE OF MAILING (37 CFR 1.10(a))

CERTIFICATE OF MAILING BY "EXPRESS MAIL" - Rule 10: The undersigned hereby certifies that this correspondence is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 as Express Mail No. EV332404852US addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date: May 16, 2003

Name: Leah Sherry



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Mailstop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Request To Withdraw as  
Attorneys of Record in Patent Matter**

Dear Sirs:

This is a request for permission to withdraw as attorneys of record in this application under 37 C.F.R. § 1.36.

1. Reason for Request

The attorneys of record request **mandatory withdrawal** under 37 C.F.R. §10.40, and specifically under § 10.40(b)(4), because the client has discharged the firm and its practitioners from representing the client before the Patent Office in the above-referenced matter.

2. Due Notice to Client

The attorneys of record have given due notice of their withdrawal to the client pursuant to the discharge. We enclose copies of the letter transmitted to the client containing such notice. We also sent a copy of this request to the client.

3. Delivery of Papers to Client

We have delivered or are in the process of delivering to the client all the papers comprising this application and its prosecution.

4. Status of Application and Next Action

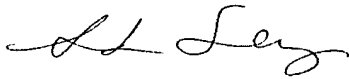
This application has been published on 04/25/02 as Publication No. US-2002-0047092-A1 This application has an outstanding Office Action Response, which has a 6-month due date of 09/10/2003.

5. Please change the correspondence address and direct all future correspondence to:

Hewlett-Packard Company  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400  
Attn: Bill Streeter

6. This Request to Withdraw is made on behalf of me, all the attorneys/agents of record, and all attorneys listed under Customer No. 25696.

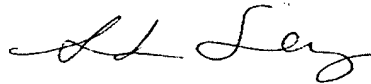
Signature Of Representative of Withdrawing Attorneys



Leah Sherry - Reg. No. 43,918

Signature of Representative of Withdrawing Attorneys on Behalf of All Withdrawing Attorneys

Dated: May 16, 2003



Leah Sherry  
Reg. No. 43,918

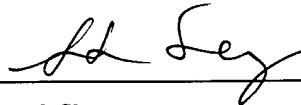
**OPPENHEIMER WOLFF & DONNELLY LLP**

1400 Page Mill Road  
Palo Alto, CA 94304-1124  
Phone: (650) 320-4000  
Fax: (650) 320-4100

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Date: May 16, 2003



Name: Leah Sherry

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Brussels                      New York  
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Minneapolis                  Silicon Valley  
oppenheimer.com

May 16, 2003

**VIA FEDEX**

Guy Kelly  
IP Managing Counsel  
Hewlett-Packard Company  
3404 East Harmony Road  
MS 79  
Fort Collins, CO 80528-9599

**Re: Notice of Withdrawal and Delivery of Papers of Pre-merger Compaq Cases**

Dear Guy:

This letter is to give you notice that, pursuant to your telephone instructions of May 1, 2003, we have taken the necessary steps for withdrawing as attorneys of record in the Compaq patent matters on which we were retained prior to the Compaq merger with Hewlett-Packard, and for which you have assumed management responsibility. Hereafter these cases will be referred to as the "pre-merger Compaq patent matters" (designated by Oppenheimer client number 20206).

It is unfortunate that we appear to disagree on whether our work on a number of these pre-merger Compaq patent matters where the application had not been drafted as of the time of the merger is subject to a capped-fee arrangement. It also unfortunate that in light of this disagreement you have decided to withdraw our authorization to do any further work on all the pre-merger Compaq patent matters and have refused to discuss your decision or respond to further communication from us.

Under California and U.S. Patent rules of practice, as the withdrawal of our authorization to do any further work is tantamount to our discharge, we filed with the U.S. Patent and Trademark Office a Request to Withdraw as Attorney of Record in the pending pre-merger Compaq patent matters. We are enclosing herewith a copy of these requests. In further accordance with these rules we have gathered and prepared for delivery to you the papers comprising the pre-merger Compaq applications and their prosecution.

We anticipate that Hewlett-Packard will pay, in full, the outstanding invoices for our work on these patent matters. If you have any questions about any of these arrangements, please call me.

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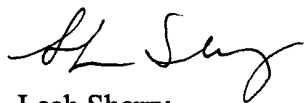
# OPPENHEIMER

OPPENHEIMER WOLFF & DONNELLY LLP

Guy Kelly  
May 16, 2003  
Page 2

In closing, we have enjoyed our long-standing work relationship with Compaq and have likewise enjoyed providing patent prosecution service to Hewlett-Packard. I was also glad to hear you say that there were no issues with the quality of our work and that our work met your quality standards. Going forward, we hope to have the opportunity to provide additional service to Hewlett-Packard and support you in the management of Hewlett-Packard's patent portfolio.

Sincerely yours,



Leah Sherry

cc: Bill Streeter, Rich Lange, Ted Park